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October 29, 2007

U. S. Patent & Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: Notice of Abandonment
Date of Notice: July 7, 2007
Application No.: 10/711,048
Applicant: Ricks, Jim
Art Unit: 3754
Examiner: Melvin A. Cartagena

Dear Sir/Madam:

On September 28, 2007, I wrote to you about the above patent application. To date, I have had no response to my letter. I am enclosing a copy of my September 28, 2007 letter for your convenience. Please advise me at your earliest convenience on this very important matter concerning Mr. Ricks' application.

Sincerely,

A handwritten signature of Daniel E. Boone in black ink, written over a circular stamp.

Daniel E. Boone

DEB/rdb
Enclosure



Daniel E. Boone
J. Dane Perry

DANIEL E. BOONE, P.C.
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330 West Tennessee Street
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September 28, 2007

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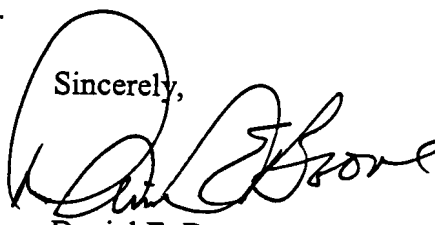
Dear Sir/Madam:

I am writing on behalf of the inventor, Mr. Jim Ricks, concerning the attached notice. The notice indicates Mr. Ricks' application for a patent is abandoned because Mr. Ricks did not respond to a letter that was mailed to him on January 9, 2007. The reason there was no reply to the letter of January 9, 2007 is because Mr. Ricks never received that correspondence.

The invention which was submitted by Mr. Ricks for patent was, and still is, very important to him. If he had received the correspondence from the Patent Office, he would have promptly responded so that his application could go forward. Mr. Ricks has invested a lot of time and money in his invention and is devastated by this turn of events.

Is there a procedure for reinstating applications that have been deemed abandoned through error? Mr. Ricks has unsuccessfully attempted a number of telephone calls in hopes of resolving this problem. I would appreciate any assistance you can provide to reinstate Mr. Ricks' application for a patent, application number 10/711,048.

Sincerely,

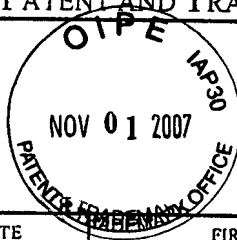


Daniel E. Boone

DEB/rdh
Enclosure



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/711,048

08/19/2004

Jim Ricks

5047

43988

7590

07/27/2007

JIM RICKS

54 LEE ROAD 2053

PHENIX CITY, AL 36870

EXAMINER

CARTAGENA, MELVIN A

ART UNIT

PAPER NUMBER

3754

MAIL DATE

DELIVERY MODE

07/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



Notice of Abandonment

Application No.	Applicant(s)	
10/711,048	RICKS, JIM	
Examiner	Art Unit	
Melvin A. Cartagena	3754	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

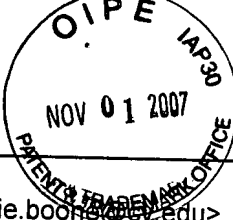
This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 09 January 2007.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

7/20/07

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Dan Boone



From: "Debbie Boone" <debbie.boone@cv.edu>
To: "Dan Boone" <boonedaniele@bellsouth.net>
Sent: Friday, September 28, 2007 8:43 AM
Subject: RE: Letter from Patent Office

We haven't ever heard back from the man Jim called several times. Please, if you have time, send the letter out. They should know we never received the one that had a deadline.

Thanks!! Love you, too.

Debbie Boone
Director of Human Resources

Chattahoochee Valley Community College
334.291.4927 (ph)
334.291.4944 (fax)

-----Original Message-----

From: Dan Boone [mailto:boonedaniele@bellsouth.net]
Sent: Friday, September 28, 2007 9:40 AM
To: Debbie Boone
Subject: Re: Letter from Patent Office

Deb,

I am so sorry. I was going through all my unopened email and saw this. I remember talking to you about it, but I really let y'all down on this one.

What is the status? If nothing has been done, I will go ahead and write to them and explain that no letter was ever received. It may not help, but it sure won't hurt.

Let me know. I love you and, again, I'm sorry for not getting a letter out.

Dad

----- Original Message -----

From: "Debbie Boone" <debbie.boone@cv.edu>
To: "Dan Boone" <boonedaniele@bellsouth.net>
Cc: <bboone1591@earthlink.net>
Sent: Thursday, August 30, 2007 11:23 AM
Subject: Letter from Patent Office

9/28/2007

Pad, here's the letter we received from the Patent Office stating we had not replied in time to their letter (which we never received).

If you want to call and dictate a letter to me over the phone, I'll be glad to type it and e-mail it back to you for printing on your letterhead.

I hope you're feeling better. Talk to you both soon.

Thanks,
deb

Debbie Boone
Director of Human Resources

Chattahoochee Valley Community College
334.291.4927 (ph)
334.291.4944 (fax)

-----Original Message-----

From: Debbie [mailto:debbie.boone@cv.edu]

Sent: Thursday, August 30, 2007 1:17 PM

To: Debbie Boone

Subject:

This E-mail was sent from "RNP90B5FD" (Aficio 2238C).

Scan Date: 30.08.2007 12:16:37 (-0500)